

**SELECTBOARD MEETING AGENDA  
UPSTAIRS MEETING ROOM  
1 AVENUE A, TURNERS FALLS, MA  
MONDAY, September 24, 2018  
-Subject to Change-**

Topics may start earlier than specified, unless there is a hearing scheduled

**Meeting Being Taped**

**Votes May Be Taken**

1. 7:00 PM Approve Selectboard Minutes of September 10 and 17, 2018 if available
2. 7:01 Public Comment Period: Individuals will be limited to two (2) minutes each and the Selectboard will strictly adhere to time allotted for public comment
3. 7:01 Pam Tierney, Black Cow Burger Bar, 127 Avenue A, Turners Falls, MA
  - Use of Public Property, 127 Avenue A, Turners Falls on October 20, 2018, 2:00 PM – 9:00 PM
  - One Day Beer & Wine License on October 20, 2018, 2:00 PM – 9:00 PM
4. 7:08 Paul Voiland, Red Fire Farm, 485 Federal St., Montague, MA
  - One Day Beer & Wine License, October 14, 2018, 9:00 AM – 8:00 PM
  - Entertainment Permit, October 14, 2018, 12:00 PM – 5:00 PM
5. 7:13 Bruce Hunter
  - Execute Agreement with GZA GeonEnvironmental, Inc., Rutter's Park Design – Phase One Modifications, \$3,100
6. 7:20 Request Declaration of surplus equipment from DPW
  - 2004 Chevy 2500 HD, 1984 Leroi Compressor, 8ft. Service Body, 9ft. MM2 Straight Blade
7. 7:25 Mike Langknecht, MCTV
  - Updates
  - Facilities needs
8. 7:35 October 10, 2018 Special Town Meeting Warrant – To approve and execute Draft Warrant, attached hereto
9. 7:45 Annual Town Administrator Evaluation
10. 8:00 Town Administrators Business
  - Discuss ADA Project Grant Submission
  - Ribbon Cutting for the Kearsarge Solar Field, October 1, 2018, 10:00 AM
  - Topics not anticipated in 48 hour posting

The next regularly scheduled Selectmen's Meeting will be held on October 1, 2018 at the Montague Town Hall, 1 Avenue A, Turners Falls, MA

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**SPECIAL TOWN MEETING  
TOWN OF MONTAGUE  
COMMONWEALTH OF MASSACHUSETTS  
OCTOBER 10, 2018**

Franklin, ss.

To either of the Constables of the Town of Montague in the County of Franklin:

**GREETING:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Montague qualified to vote in Town affairs to meet in the Turners Falls High School Theater on Wednesday, October 10, 2018, at 6:30 P.M. and to act on the following articles and any motions which may be presented.

**ARTICLE 1.** To see if the Town will vote to rescind the vote taken under Article #9 of the May 5, 2018 Annual Town Meeting, which appropriated \$2,017,231 for the purpose of operating the Water Pollution Control Facility and associated pumping stations, with \$200,000 to be raised from Taxation and \$1,817,231 to be raised from Sewer User Fees, and allocated in accordance with Schedule IV, WPCF Budget, and replace it with a new appropriation of \$2,396,379, or any other sum, and a reallocation of said appropriation in accordance with the Revised Schedule IV, WPCF Budget set forth below, or to pass any vote or votes in relation thereto.

Revised Schedule IV, WPCF Budget

Dept. No.		#9 5/5/18 FY19	Revised FY19
	Water Pollution Control Facility		
440	Wages & Expenses	1,314,508	1,689,656
700	Debt Service	390,221	390,221
910	Employee Benefits	<u>261,702</u>	<u>265,702</u>
	Subtotal WPCF	1,966,431	2,345,579
449	WPCF Subsidiary		
	Wages & Expenses	42,800	42,800
	Capital Outlay	<u>8,000</u>	<u>8,000</u>

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50,800                      50,800

Total WPCF                                      2,017,231                      2,396,379

**ARTICLE 2.** To see if the Town will vote to rescind the unused \$21,569 borrowing authority as voted pursuant to Article #30 of the May 6, 2017 Annual Town Meeting, which appropriated \$385,000 for the purpose of lining, cleaning and inspection of sewers and GIS sewer layer development, or to pass any vote or votes in relation thereto.

**ARTICLE 3.** To see if the Town will vote to rescind the vote taken pursuant to Article #46 of the May 6, 2000 Annual Town Meeting, which appropriated \$11,500 to be used as consideration for the acquisition of an interest in and, specifically Assessors Map 21, lots 008 and 009, or to pass any vote or votes in relation thereto.

**ARTICLE 4.** To see if the Town will vote to authorize the Selectboard to petition the General Court for one (1) additional on premises wine and malt beverages license to be exercised and located at 104 Avenue A, in the Turners Falls village of the Town, said license not to be transferred to any other location; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Selectboard approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, or pass any vote or votes in relation thereto.

The petition for special legislation shall take the following form:

AN ACT AUTHORIZING THE TOWN OF MONTAGUE TO GRANT ONE ADDITIONAL LIQUOR LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. (a) Notwithstanding Section 17 of Chapter 138 of the General Laws the licensing authority of the Town of Montague may grant one (1) additional license for the sale of wine and malt beverages to be drunk on the premises pursuant to Section 12 of said Chapter 138 to Mystic Pinball, LLC, or it's successors or assigns for an establishment to be located at 104 Avenue A, in the town of Montague. The license shall be subject to all of said Chapter 138 except said Section 17.

(b) The licensing authority shall not approve the transfer of the license granted pursuant to this act to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the

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license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license granted pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

(d) The license granted pursuant to this act shall be issued within 2 years after the effective date of this act; provided however, that if the license is originally granted within that time period, it may be transferred or re-issued to a new applicant pursuant to subsection (b) or (c) anytime thereafter.

SECTION 2. This act shall take effect upon its passage

(Selectboard Request)

**ARTICLE 5.** To see if the Town will vote in accordance with MGL c. 40, § 15A to transfer from the board or commission having the care, custody, and control of a parcel of land containing 3.192 acres of land, more or less, located on 8 Canal Road and identified on the Town Assessor's Map 2, Lot 06, further described in a deed recorded with the Franklin Registry of Deeds in Book 5494, Page 113 and referenced in a judgement in a tax lien case recorded in Book 6829, Page 79, and being on a plan recorded with said Registry in Plan Book 64, Page 99 to the Selectboard for the purpose of conveyance, and further to authorize the Selectboard to convey all or a portion of said parcel on such terms and conditions as determined by the Selectboard to be in the best interest of the Town, or to pass any vote or votes in relation thereto.

**ARTICLE 6:** To see if the Town will vote in accordance with MGL c. 40, § 15A to transfer from the board or commission having the care, custody, and control of three parcels of land containing 6.13 acres of land, more or less, located along the Canalside Bike Path from Rastallis Street to Sixth Street and identified on the Town Assessor's Map 5 Lot 153, Map 6 Lot 358, and Map 3 Lot 82 , further described in a deed recorded with the Franklin Registry of Deeds in Book 2282, Pages 14, and shown as "Lots 1, 2, and 4" on a plan recorded with said Registry in Plan Book 72, Page 22 to the Selectboard for the purpose of conveyance, and further to authorize the Selectboard to convey all or a portion of said parcel on such terms and conditions as determined by the Selectboard to be in the best interest of the Town, or to pass any vote or votes in relation thereto.

(Selectboard Request)

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**ARTICLE 7.** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$3,500, or any other amount, for the purpose of developing a subdivision plan and preparation of legal documents associated with the conveyance of Assessor's Map 5 Lot 153, Map 6 Lot 358, and Map 3 Lot 82, approximately 6.13 acres of land located along the Canalside Bike Path, or pass any vote or votes in relation thereto.

**ARTICLE 8.** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$19,750, or any other amount, for the purpose of a technical review of the proposed plan for capping and installing a solar power generating facility on the burn dump, or pass any vote or votes in relation thereto.

**ARTICLE 9.** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$9,535, or any other amount, for the purpose of improving "green room" facilities for performers in the Shea Theater, including by not limited to for the purpose of designing and constructing improvements, purchasing and installing furniture and equipment, installation of wiring for audio-video equipment, and anything incidental or related thereto, or pass any vote or votes in relation thereto.

**ARTICLE 10.** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$6,000, or any other amount, for the purpose of increasing the FY2019 Town Clerk budget, or pass any vote or votes in relation thereto.

**ARTICLE 11.** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$12,500, or any other amount, for the purpose of purchasing and installing cable related equipment for MCTV and anything incidental or related thereto, or pass any vote or votes in relation thereto.

**ARTICLE 12.** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$40,150, or any other amount, for the purpose of increasing the Town Capital Stabilization Fund, or pass any vote or votes in relation thereto.

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**ARTICLE 13.** To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20, of the Massachusetts General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied or pass any vote or votes in relation thereto.

Given under our hands this 24th day of September in the Year of Our Lord Two Thousand and Eighteen.

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Michael Nelson

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Christopher M. Boutwell, Sr.

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Richard Kuklewicz, Chairman  
Selectboard, Town of Montague

Franklin, ss      Montague, MA      September      , 2018

Pursuant to the within warrant, I have warned the Inhabitants of the Town of Montague by posting attested copies of the same in a conspicuous place in each of the Post Offices, Libraries, and the Town Hall of the Town of Montague at least fourteen days before said meeting as within directed.

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Constable of Montague